

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

HI&RH EMPRESS AUBREE DEI  
GRATIA, ) Case No.: C 10-03742 PSG  
Plaintiff, )  
v. )  
WACHOVIA MORTGAGE FSB, )  
Defendants. )  
\_\_\_\_\_  
**ORDER DISSOLVING NOVEMBER 3,  
2010 ORDER TO SHOW CAUSE**  
**[Docket No. 15]**

The court ordered Plaintiff HI&RH Empress Dei Gratia to respond in writing no later than November 15, 2010 to an order to show cause why the case should not be dismissed for failure to prosecute. *See Order to Show Cause* dated November 3, 2010. (“November 3, 2010 Order to Show Cause”). (Docket No. 15). On November 2, 2010, neither party appeared for the case management conference. In addition, neither party filed a case management conference statement pursuant to Civ. L.R. 16-9.

Ms. Dei Gratia proceeding *pro se* filed a timely response stating that she was ill for the five weeks preceding the scheduled case management conference. *See Plaintiff's Show Cause Why Case Case Should Not Be Dismissed for Failure to Prosecute with Physician's Affidavit* dated November 15, 2010. (Docket No. 17). She included a Physician's Statement verifying the duration of her illness. Having reviewed the response,

28 IT IS HEREBY ORDERED that the November 3, 2010 Order to Show Cause is dissolved.

1 IT IS FURTHER ORDERED that the case management conference is continued to January  
2 18, 2010.

3 Dated: December 15, 2010



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5 PAUL S. GREWAL  
United States Magistrate Judge  
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